

SB 213 FRONTLINE HEALTH CARE WORKER WORKERS' COMPENSATION

Senator Dave Cortese

BACKGROUND

Nurses often have to jump through hoops — while sick or hurt — to receive paid time off for work-related illnesses or injuries. And after all that effort, nurses can be denied coverage. That's why we are proud to cosponsor a state-based solution in California, SB 213. This bill will ensure that nurses and other health care workers have "presumptive eligibility" for workers' compensation (meaning they will automatically be eligible for workers' comp) if they experience issues such as Covid-19 or other infectious disease, respiratory disease, cancer, post-traumatic stress disorder, and musculoskeletal injuries.

PROBLEM

California has laws granting many public safety workers — male-dominated professions such as **police officers** and **firefighters** — presumptive eligibility for certain conditions, like lower back pain, Methicillin-resistant staphylococcus aureus (MRSA), and PTSD. In other words, these illnesses or injuries are presumed to be job related, and the worker is automatically eligible for workers' comp benefits.

Nurses, on the other hand, still have no presumptive eligibility at all, even though our **nearly 90 percent female** profession experiences **many, many known hazards** at work, now **including Covid-19**. According to the **Bureau of Labor Statistics**, in 2020, workplace hazards that required at least one day off work totaled 220 for firefighters and 200 for police officers. The total for registered nurses was 78,740.

If the disparity in workers' comp protections sounds sexist, that's because it is. Our heroic first responders and law enforcement workers deserve all the protections they have. Nurses are simply asking for parity. If we are caring for the same patients, exposed to the same illnesses, and experiencing on-the-job injuries at higher rates, why is our women-dominated profession not protected in the same way?

SOLUTION

SB 213 will modernize outdated California laws by making it easier for registered nurses and other health care workers to access the workers' compensation system, in line with protections male-dominated professions such as police officers and firefighters have already been granted in California. Specifically, this bill creates a workers' compensation rebuttable presumption for hospital employees who provide direct patient care in an acute hospital setting for issues such as infectious disease, respiratory disease, cancer, post-traumatic stress disorder, and musculoskeletal injuries.

This will ensure all frontline health care workers have access to the same workers' compensation presumptions, and is a vital step in achieving economic and gender equality. When nurses are hurt or sickened on the job, we should all be provided with the security written into SB 213. We signed up to care for our patients, not to weather out a work-related illness or injury with no pay.

SUPPORT

California Nurses Association (sponsor)

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